

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>TRAVIS ATHERTON,</b>	:	<b>CIVIL ACTION NO. 1:19-CV-1093</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>TARGET CORPORATION,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 7th day of February, 2020, upon consideration of the parties' joint motion (Doc. 12) for approval of settlement, wherein the parties seek to amicably resolve plaintiff Travis Atherton's claims under the Fair Labor Standards Act of 1938 ("FLSA"), 29 U.S.C. § 201 *et seq.*, and the Pennsylvania Minimum Wage Act of 1968, 43 PA. STAT. AND CONS. STAT. ANN. § 333.101 *et seq.*, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. The motion (Doc. 12) for approval of settlement is GRANTED in part and DENIED in part consistent with the accompanying memorandum and the following paragraphs:
  - a. The motion is GRANTED to the extent the court finds the proposed settlement to be a fair and reasonable resolution of a *bona fide* dispute.
  - b. The motion is further GRANTED to the extent the court finds the attorneys' fees contemplated by the proposed settlement to be reasonable.
  - c. The motion is DENIED to the extent the court finds that the proposed settlement's overbroad confidentiality and general-release clauses impermissibly frustrate the purposes of the FLSA.

2. The court declines to approve the proposed settlement agreement in its current form.
3. On or before **Friday, February 21, 2020**, the parties shall file either a revised proposed settlement agreement for the court's review which remedies the concerns set forth in the accompanying memorandum or a request for a case management conference to schedule further proceedings.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania